



Attorney Docket No.: N1040-ICW
Customer No. 23456

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; that

I believe I am an original, first and joint inventor of the invention entitled "Shellable Child Resistant Closure Container with Positive Lock Mechanism" described and claimed in the specification which was filed on January 8, 2004 as Application Serial No. 10/753,971.

I have reviewed and understand the contents of the specification, including the claims, in the above-referenced application, as amended by any amendment specifically referred to in the Declaration.

I acknowledge my duty pursuant to 37 C.F.R. §1.56 to disclose information of which I am aware which is material to the patentability of this application.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

None.

I hereby claim priority benefits under Title 35, United States Code, §119(e) of any United States Provisional application(s) listed below.

Title of Prior Application: Shellable Child Resistant Closure Container
with Positive Lock Mechanism

Application Serial No. 60/438,521

Filing Date of Prior Application: January 8, 2003

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Title of Prior Application: Shellable Child Resistant Closure Container
with Positive Lock Mechanism

Application Serial No. 60/438,521

Filing Date of Prior Application: January 8, 2003

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false

statements may jeopardize the validity of the application or any patent issued thereon.

Full name of joint Inventor:

David A. Miceli

Inventor's signature:

David A. Miceli

6/1/04

Date

Residence:

12965 Silver Wolf Road

Reno, NV 89511

Citizenship:

United States

Post Office Address:

HC 69, Box 398
Spencer, Tennessee 38585

Full name of joint Inventor:

Joseph Miceli

Inventor's signature:

Joseph Miceli

Date

Residence:

HC 69 Box 398

Spencer TN 38585

Citizenship:

United States

Post Office Address:

HC 69, Box 398
Spencer, TN 38585